

EXHIBIT K

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Undocumented Immigrant Releases Acknowledged By John Morton Of Homeland Security Department

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By ALICIA A. CALDWELL, THE ASSOCIATED PRESS

WASHINGTON — The Obama administration contradicted itself Thursday, acknowledging to Congress that it had, in fact, released more than 2,000 undocumented immigrants from immigration jails due to budget constraints during three weeks in February. Four deemed especially dangerous have been placed back in jail.

The administration had claimed only a "few hundred immigrants" were released for budgetary reasons, challenging as inaccurate an Associated Press report that 2,000 immigrants had been released and that 3,000 more would be released this month.

However, the director of U.S. Immigration and Customs Enforcement, John Morton, testified Thursday that his agency released 2,228 undocumented immigrants for what he called "solely budgetary reasons."

Morton and other agency officials spoke during a hearing by a House appropriations subcommittee. He told lawmakers that the decision to release the immigrants was not discussed in advance with political appointees, including those in the White House and Homeland Security Secretary Janet Napolitano. He said the pending automatic cuts known as sequestration was "driving in the background."

"We were trying to live within the budget that Congress had provided us," Morton told lawmakers. "This was not a White House call. I take full responsibility."

The subcommittee chairman, Rep. John Carter, R-Texas, pressed Morton about the agency's claims that immigrants were routinely released, and Morton acknowledged that the release of more than 2,000 immigrants was not routine.

"At the time this release started, the president of the United States was going around the country telling people what the pain was going to be from sequester," Carter said. "That's a fact. That was the atmosphere. It was Chicken Little, the sky is falling almost."

Morton told Carter that more immigrants were released in Texas than in any other state but did not name other states where they were released.

The AP, citing internal budget documents, reported exclusively on March 1 that the administration had released more than 2,000 undocumented immigrants since Feb. 15 and planned to release 3,000 more in March due to looming budget cuts, but Napolitano said days later that the AP's report was "not really accurate" and that the story had developed "its own mythology."

"Several hundred are related to sequester, but it wasn't thousands," Napolitano said March 4 at a Politico-sponsored event.

On March 5, the House Judiciary Committee publicly released an internal ICE document that it said described the agency's plans to release thousands of undocumented immigrants before March 31. The document was among those reviewed independently by the AP for its story days earlier.

The immigrants who were released still eventually face deportation and are required to appear for upcoming court hearings. But they are no longer confined in immigration jails, where advocacy experts say they cost about \$164 per day per person. Immigrants who are granted supervised release — with conditions that can include mandatory check-ins, home visits and GPS devices — cost the government from 30 cents to \$14 a day, according to the National Immigration Forum, a group that advocates on behalf of immigrants.

Morton said Thursday that among the immigrants released were 10 people considered the highest level of offender. Morton said that although that category of offender can include people convicted of aggravated felonies, many of the people released were facing financial crimes. Four of the most serious offenders have been put back in detention. Other people released include immigrants who had faced multiple drunken driving offenses, misdemeanor crimes and traffic offenses, Morton said.

After the administration challenged the AP's reporting, ICE said it didn't know how many people had been released for budget reasons but would review its records.

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